

Message Text

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42

ACTION EUR-12

INFO OCT-01 ISO-00 L-03 EB-07 FCSC-01 SP-02 TRSE-00 SCA-01

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P 301040Z OCT 75

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC PRIORITY 5280

LIMITED OFFICIAL USE BUCHAREST 5552

E.O. 11652: N/A

TAGS: EVIN, ETRD, CPAS, YO, RO

SUBJECT: PROPERTY CASES; GSP

REF: (A) STATE 245424, (B) STATE 027845

1. ON OCT 29, CHARGE, ACCOMPANIED BY CONSOFF, WAS INVITED TO MFA BY ACTING DIRECTOR OF THIRD DIRECTORATE MIRCEA MITRAN TO RECEIVE REPLY TO EMBASSY'S AIDE MEMOIRE OF OCT 22 CONCERNING CERTAIN QUESTIONS RELATING TO ROMANIAN ELIGIBILITY FOR GSP (REF). TEXT OF EMBASSY'S AIDE MEMOIRE AND UNOFFICIAL TRANSLATION OF ROMANIAN RESPONSE SENT SEPTEL.

2. AFTER BRIEF EXAMINATION OF GOR REPLY CHARGE STATED HIS CONCERN THAT GOR RESPONSES IN PARAS ONE AND SIX WOULD CAUSE LEGAL PROBLEMS TO USG BECAUSE THEY DID NOT APPEAR TO MEET THE CRITERIA OF FAIR AND ADEQUATE COMPENSATION SPELLED OUT UNDER SECTION 502 (B)(4) OF TITLE V OF THE 1974 TRADE ACT (SEE REF B, PARA 2).

3. MITRAN RESPONDED THAT ROMANIAN LEGISLATION ON THIS ISSUE WAS NON-DISCRIMINATORY, THEREFORE HE FAILED TO SEE HOW AMERICANS COULD ASK FOR SPECIAL TREATMENT. CHARGE RESPONDED ISSUE WAS GOR'S PROBLEM TO WORK OUT, NOT OURS. FACT WAS THAT ROMANIAN LAW DID NOT APPEAR TO MEET CRITERIA OF EQUITABLE COMPENSATION DEMANDED BY 1974 TRADE ACT.

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SAID WE ARE ANXIOUS TO MOVE AHEAD TOWARD GRANTING GSP

TO ROMANIA, BUT COULD ONLY DO SO WITHIN REQUIREMENTS OF OUR LEGISLATION.

4. CHARGE THEN INQUIRED ABOUT STATUS OF GENERAL ASSURANCES REQUESTED OF GOR (STATE 245424; BUCHAREST 5364) THAT CLAIMS OF U.S. CITIZENS WOULD BE CONSIDERED AND SETTLED BY THE GOR ON A CASE-BY-CASE BASIS OR ON OTHER MUTUALLY AGREED BASIS. MITRAN CONFESSED HE WAS NOT WELL BRIEFED ON PROBLEM BUT PROMISED TO INVESTIGATE AND INFORM US. CHARGE OBSERVED HE HAD IMPRESSION FROM CONVERSATION WITH DEP PRIME MINISTER PATAN AT AIRPORT DEPARTURE FOR U.S. OCT 28 THAT HE HAD MARCHING ORDERS FROM CEAUSESCU TO BRING BACK ASSURANCES GSP WAS IN THE BAG. CHARGE SAID THAT SO FAR AS HE KNEW WITHOUT SUCH ASSURANCES THERE WAS NO WAY WE COULD PROCEED WITH GSP PROCLAMATION FOR ROMANIA. HE HOPED THIS WAS CLEARLY UNDERSTOOD AT ALL LEVELS IN THE GOR. THE BALL REMAINED IN THE ROMANIAN COURT.

5. ACTION REQUESTED: IN ADDITION TO REACTION TO ROMANIAN RESPONSES TO EMBASSY AIDE MEMOIRE, WOULD APPRECIATE ANY BACKGROUND INFORMATION OF HOW LAND CLAIMS, AS OPPOSED TO CLAIMS FOR HOUSING WERE SETTLED BY THE FOREIGN CLAIMS SETTLEMENT COMMISSION (BETWEEN AUG 19, 1956 AND MAY 19, 1960. DEADLINE DEC 24, 1971). MITRAN CLAIMS THAT LAND HAS ALWAYS BELONGED TO THE STATE SINCE COMMUNIST TAKEOVER AND WAS NOT SUBJECT TO A CLAIMS SETTLEMENT.
VIETS

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